

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE LIBOR-BASED FINANCIAL INSTRUMENTS ANTITRUST LITIGATION	MDL No. 2262
THIS DOCUMENT RELATES TO:	Master File No. 1:11-md-2262-NRB ECF Case
THE BERKSHIRE BANK and GOVERNMENT DEVELOPMENT BANK FOR PUERTO RICO Individually and On Behalf of All Others Similarly Situated,  Plaintiffs,  v.  BANK OF AMERICA CORPORATION, et al.,  Defendants.	Civil Action No. 12-CV-5723-NRB

**LENDER PLAINTIFFS' NOTICE OF MOTION FOR FINAL APPROVAL OF  
SETTLEMENT WITH DEUTSCHE BANK AG**

**TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD**

**PLEASE TAKE NOTICE**, that on March 15, 2021, at 11:00 AM, at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York 10007, in the Courtroom of the Honorable Naomi Reice Buchwald, Lender Plaintiffs will, and hereby do, move the Court, pursuant to Federal Rule of Civil Procedure 23(e), for an Order: (a) granting final approval to the Settlement with Deutsche Bank AG (“Deutsche Bank”); (b) certifying the Settlement Class; (c) granting final approval to the plan of distribution; (d) appointing Pomerantz LLP as Counsel for the Settlement Class; (e) granting final approval to the class notice, and for such other and further relief as the Court deems appropriate.

Submitted herewith in support of Lender Plaintiffs’ Motion for Final Approval of Settlement with Deutsche Bank are: (i) the Memorandum of Law in Support of Lender Plaintiffs’ Motion for Final Approval of Settlement with Deutsche Bank; (ii) the Declaration of Jeremy A. Lieberman in Support of Lender Plaintiffs’ Motion for Final Approval of Settlement with Deutsche Bank; and (iii) the Declaration of Jennifer M. Keough in Support of Lender Plaintiffs’ Motion for Final Approval of Settlement.<sup>1</sup>

Dated: February 8, 2021  
New York, New York

**POMERANTZ LLP**

/s/ Jeremy A. Lieberman

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<sup>1</sup> Lender Plaintiffs will submit a Proposed Order after the opt-out (February 8, 2021) and objection deadline (February 22, 2021) and in advance of the Fairness Hearing (March 15, 2021).

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*Counsel for Plaintiffs The Berkshire  
Bank and The Government  
Development Bank of Puerto Rico*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 8, 2021, I caused the foregoing, along with the accompanying memorandum and declarations in support, to be electronically filed with the Clerk of the Court using CM/ECF system, which will automatically send email notification of such filing to the attorneys of record registered in the CM/ECF system.

Dated: February 8, 2021

/s/ Jeremy A. Lieberman  
Jeremy A. Lieberman